



September 26, 2011

Mr. Phil Isenberg, Chairman
Delta Stewardship Council
980 Ninth Street, Suite 1500
Sacramento, CA 95814

SUBJECT: Revisions to Fifth Draft of Delta Plan

Dear Chairman Isenberg:

We were so pleased to have had you address the City Council, the Burbank Water and Power Board and the Sustainable Burbank Committee two years ago where you updated us on the historic Delta legislation that had just passed. Since that time, Burbank has continued to follow the progress that is being made in the Delta Stewardship Council (Council) with much interest.

As the General Manager of Burbank Water and Power (BWP) with over 100,000 residents dependent on the health of the Delta for our drinking water, I am writing to express serious concerns about the fifth staff draft of the Delta Plan prepared by the Council. As a strong supporter of California's co-equal goals of water supply reliability for the state and ecosystem restoration for the Sacramento-San Joaquin Delta, I am concerned that the various approaches in this fifth draft detract from achieving these goals.

Fails to address key elements of the BDCP

A major concern is that the draft does not clearly support a key objective of the Bay Delta Conservation Plan (BDCP): how to address the water supplies lost due to the regulatory and judicial restrictions that have been placed on water contractors. The recovery of water supplies lost due to Delta regulatory restrictions is not clearly identified in the fifth draft of the Delta Plan. If the Council seeks to address this issue; however, it has been omitted from this draft of the Delta Plan.

Redundant regulatory oversight

BDCP is further threatened by the draft Delta Plan's proposal to require virtually every significant future BDCP action to undergo an unnecessary review by the Council rather than to review the entire BDCP once to make the final decision that its actions are consistent with the Delta Plan. We believe this additional step-by-step review process by the Council does not add value, but just delays progress.

Council focus should be on the co-equal goals

It is also extremely troubling that the plan attempts to dictate local water management decisions on everything from rate structures to recycling targets. Burbank strongly believes that these decisions should be left in the purview of local governing bodies. The Council should redirect its energy on the Delta, improving the reliability of water supplies and the ecological recovery of the estuary.

Flawed Public Goods Charge (PGC) Concept

Finally, the fifth draft also recommends a "public goods charge" on urban and agricultural water users. There was not much detail included in the staff's recommendation. However, other than in name, it appears to be very different from the electric public goods charge that was developed as an outcome of electricity deregulation developed in the mid-1990s when policymakers feared that deregulation would cause an end to energy-efficiency research and other programs. Burbank's City Council has already implemented a parallel to electric public goods charge which funds education and conservation programs. Like electric service any mandated public goods charge should be controlled locally.

In closing, I fear the excessive regulatory approach that permeates this draft will threaten the achievement of the Council and detract from prospects of a successful, collaborative approach. I appreciate your taking my views into consideration as we simply must get the Delta Plan right for the sake of our water supply, economy and environment.

Sincerely,



Ron Davis
General Manager

c: Senate Liu
Assembly Member Gatto
Mike Flad, City Manager
Burbank Water and Power Board
Bonnie Teaford, Public Works Director